

**DEPARTMENT OF HEALTH
BOARD OF PHYSICAL THERAPY
MEETING MINUTES**

Tuesday, July 20, 2004

Wyndham Seattle - Tacoma Hotel, 18118 International Blvd, Seattle, WA 98188

On July 20, 2004 the Board of Physical Therapy met at the Wyndham Seattle-Tacoma Hotel, 18118 International Blvd., Seattle, WA 98188. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

Samuel Stockton, PT, Chair
Shawn Quigley, PT, Vice Chair
Chuck Martin, PT
Paula Mays, PT
Su Sawyer, Public Member

STAFF PRESENT

Kris Waidely, Health Services Consultant 3
Victoria Palmer, Program Representative
Lisa Pannone, Staff Attorney
Melissa Burke-Cain, AAG, Advisor

GUESTS PRESENT

Pat Muchmore, PT
Dave Magby
Jean Sullivan

OPEN SESSION – 9:15 a.m.

1. CALL TO ORDER

- 1.1 Approval of Agenda – The agenda was approved with an addition.
- 1.2 Approval of Meeting Minutes from May 18, 2004 – Minutes approved as presented.

2. BOARD DELEGATIONS – The Board reviewed signature delegations. The signature delegation was approved as presented.

3. HPQA SECTION ALIGNMENT CHANGES – Shawn Quigley provided information to the board regarding the Department of Health, Board and Commission Meeting she attending on June 2, 2004. The department provided a copy of the memo dated June 21, 2004, from Bonnie King, Health Professions Quality Assurance Director regarding disciplinary process improvements and other changes.

4. CORRESPONDENCE – The Board was provided with copies of previously approved correspondence.

5. BOARD POLICY REVIEW DISCUSSION – The Board reviewed current policies and began discussions concerning policies that may need to be revised or updated as follows:

Policy 1.1 - delete “or Saturday” from the last sentence.

Policy 1.2 – delete “the Board Chair prior to contacting” and after the word staff add “who will contact the Board Chair”.

Policy 2.1 – policy approved as presented.

Policy 2.2 – change “on the first meeting of each calendar year” to read “during the September meeting of each calendar year”.

Policy 2.3 – policy approved as presented.

Policy 2.4 – policy approved as presented.

Policy 3.1 – policy approved as presented.

Policy 3.2 – update language for procedures paragraph number 2.

Policy 3.3 – update the American Physical Therapy Association’s Guide to Physical Therapy Practice, Volume 2 to read “Second Edition or it’s successors”.

Policy 4.1 – policy approved as presented.

Policy 4.2 – hold this policy for later discussion.

Policy 4.3 – amend policy to include language regarding the applicant’s authorized representative.

Policy 4.4 – policy approved as presented.

Policy 4.5 – delete the word “generally” from the policy.

Policy 4.6 – hold this policy for later discussion after WAC changes are adopted.

Policy 4.7 – hold this policy for later discussion after WAC changes are adopted.

Policy 4.7a - hold this policy for later discussion after WAC changes are adopted.

Policy 4.8 - hold this policy for later discussion after WAC changes are adopted.

Policy 4.9 - hold this policy for later discussion after WAC changes are adopted.

Policy 5.2 – policy approved as presented.

Policy 5.3 – policy approved as presented.

Policy 5.4 – add language regarding delegating to the board chair or a professional member of the board.

Policy 6.1 – policy approved as presented.

Policy 6.2 – update policy to be consistent with changes made to WAC 246-915-085 Continuing Competency.

Policy 7.1 – hold this policy for later discussion.

Policy 7.2 – policy approved as presented.

Policy 7.3 – policy approved as presented.

Policy 7.5 – policy approved as presented.

Policy 7.6 – policy approved as presented.

Policy 7.8 – policy approved as presented.

Policy 7.9 – policy deleted. The Board would like to send a letter to Jackie Barry, Association Manager, for the Physical Therapy Association of Washington (PTWA) explaining how they can obtain information regarding Final Orders. The Board delegated the approval of this letter to the Board Chair.

Policy 7.10 – policy deleted.

6. **THE ROLE OF THE INVESTIGATION SERVICE UNIT** – Dave Magby, Chief Investigator, provided an overview of the role and activities of the Department of Health Investigation Service Unit, and its role in the complaint review process. The Investigation Service Unit provides investigation services for 51 health care professions. This past year, the Investigation Service Unit investigated 17 cases for the Board of Physical Therapy. Investigations can take up to 170 days to complete. Currently, it has been taking 122 days to investigate the physical therapy cases due to the nature of the case. There have been several cases alleging provider fraud. The investigators are independent fact finders and they are not for the complainant or the respondent. After the investigation is complete, a report is forwarded to the Board of Physical Therapy for final action.
7. **THE ROLE OF THE WASHINGTON HEALTH PROFESSIONAL SERVICES** – Jean Sullivan provided an overview of the role and activities of the Washington Health Professional Services (WHPS). Washington Health Professional Services (WHPS) is the department's program for chemically dependent practitioners. The program was created in 1988. The programs purpose is to serve as an alternative to license discipline. There are three different ways a practitioner can enter the Washington Health Professional Services (WHPS) program. They can call the program directly and ask for help. Employers can refer employees that have behaviors in the workplace that need help. The Board can issue a formal order requiring the practitioner to enter the program in lieu of losing their license to practice. WHPS is involved in the placement of the program the individual chooses. There is a practice restriction that the individual can only work for one employer and no more than 40 hours a week. Individuals are kept in the program for five years and the last two years are a transitional program. If an individual is non-compliant with the program, the Board is notified for further action.
8. **PROGRAM REPORT** – Information provided to the Board by the Program Manager.
 - 8.1 Legislative Update – The department did not have any information to share regarding legislation.
 - 8.2 Budget Update – The department provided the Board with copies of April 2004 and May 2004 Interim Operating Reports.

8.3 Planning for Upcoming Meetings

For September – Telehealth, status of inactive credential rule and applicants from unapproved programs rule, amended policies, election of officers, report progress on research of PTA army programs.

8.4 Provided for the Board's Information:

- National Physical Therapy Examination (NPTE) Fee Announcement
- Revised Increase to Physical Therapy Candidate Examination Fee Memo
- News report from Commission on Graduates of Foreign Nursing Schools International Commission on Healthcare Professions
- Memo dated June 9, 2004 from Bonnie King, HSQA Director regarding HPQA Profession Section Alignment Changes
- Federation News Briefs June 2004 Volume 6, No. 6
- Memo dated June 14, 2004 from Commission on Accreditation in Physical Therapy Education
- Internet page of DOH survey regarding credit/debit card transactions
- Executive Director job announcement

CLOSED SESSION 12:30 p.m.

9. REVIEW OF APPLICATIONS

Applicant A – Approved for licensure.

Applicant B – Approved for licensure.

Applicant C – Denied pending completion of additional general education and coursework.

Applicant D – Request additional information from applicant.

Applicant E – Denied pending completion of additional general education and coursework.

10. DISCIPLINARY CASE REVIEWS

Case 2004-07-0001PT – CLOSED (prior to investigation) – No violation.

Case 2004-02-0001UK – CLOSED (after investigation) – No Whistleblower Release.

11. CONTINUING EDUCATION AUDITS - Board members reviewed CE audits for compliance.

OPEN SESSION - Rules Workshop - Drafting Session 2:00 p.m.

12. **STATUS UPDATE OF RULES PROCESS** – Kris Waidely informed the Board that CR102's, Significant Analysis, and the Small Business Economic Impact Statements have been completed for WAC 246-915-050 Reinstatement, WAC 246-915-180 Professional Conduct Principles, WAC 246-915-105 Approved Physical Therapist Programs, WAC 246-915-100 Approved Physical Therapy Schools, and WAC 246-915-040 Licensure by endorsement.
13. **RULE WRITING**
 - 13.1 **WAC 246-915-350 – Inactive Credential** – The Board reviewed fee schedules for other professions to determine what fee they would like to charge for inactive credentials.
MOTION: The Board would like to propose a \$35.00 inactive credential fee and a \$50.00 late fee for late renewals.
ACTION: Motion passes with 3 yes votes, 1 no vote, and 1 abstained.
 - 13.2 **WAC 246-915-120 – Applicants from Unapproved Schools** – The Board reviewed the proposed draft language for applicants from unapproved schools. Paragraph (1c) was changed to read "Verification that English is the national language of the country where the physical therapy program employs English as the language of training; or that the applicant has achieved a passing score on the test of English as a foreign language (TOEFL), the test of spoken English (TSE), and the test of written English (TWE). The passing score is determined by the Board". Paragraph (2a) has been changed to read "General education: A minimum of 50 semester hour credits shall be the minimum number required in general education." The department will begin processing the necessary rules forms and send the proposed rule language out for review and comment.
 - 13.3 **PLANNING FOR CREDENTIALS EVALUATORS REVIEW PROCESS** – The Board discussed reviewing companies that provide credentials evaluations for applicants from non-approved education programs. The Board would like to review the credentialing evaluation process used by the Foreign Credentialing Commission on Physical Therapy (FCCPT) and the International Consultants of Delaware (ICD).
 - 13.4 **EXECUTIVE SECTION**
The term "executive session" is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a)-(k), and only during a regular or special meeting. The Board met in Executive Session to discuss Board business.

14. ADJOURNMENT

ADJOURN 3:30 p.m.

Respectfully submitted:

Kris Waidely
Program Manager

Approved:

Samuel Stockton, PT, Chair
Board of Physical Therapy